

**Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

1. (Currently Amended) An image capturing device for capturing still images,  
wherein the image capturing device can be placed in an audio capturing mode, comprising:

a two-stage shutter button;

an audio transducer capable of converting sound into a representative electrical audio signal;

a processor communicating with said audio transducer and selectively causing said audio signal to be outputted by said audio transducer, said processor being coupled to the shutter button; and

a memory for receiving said audio signal, said memory including an audio buffer capable of continuously storing a predetermined amount of said audio signal and including at least one audio storage cell capable of storing at least a portion of said audio signal held in said audio buffer, wherein

as a result of the image capturing device being placed in the audio capture mode, said processor causes said audio signal to be continuously stored in said audio buffer,

in response to the user of the image capturing device partially depressing the shutter button, said processor performs a lens focusing and/or flash measurement, and

in response to a user of the image capturing device fully depressing the shutter button, said processor causes at least a portion of said audio signal from said audio buffer to be stored into said at least one audio storage cell ~~upon an input command of a user~~ and causes the device to capture and store a still image.

2. (Original) The device of claim 1, further comprising an audio conditioning circuit that performs audio signal processing on said audio signal.

3. (Currently Amended) The device of claim 1, ~~wherein said audio buffer receives said audio signal when said image capturing device is in an audio capture mode wherein the image capturing device is automatically placed in the audio capture mode as a result of the user partially depressing the shutter button.~~

4. (Currently Amended) The device of claim 1, further comprising a lens and a cover for covering the lens so that the lens is not exposed, ~~wherein said audio buffer receives said audio signal when a lens cover is open and a lens apparatus is exposed~~ the image capturing device is automatically placed in the audio capture mode as a result of said cover being disposed in a position wherein the cover is not covering the lens.

5. (Currently Amended) The device of claim 1, ~~wherein said audio buffer receives said audio signal when said image capturing device is powered on~~ further comprising a power switch, having an on position and an off position, for powering the image capturing device on and off, wherein the image capturing device is automatically placed in the audio capture mode as a result of the power switch being placed in the on position.

6. (Original) The device of claim 1, wherein said processor stores said at least a portion of said audio signal upon a user input.

7. (Original) The device of claim 1, wherein said processor stores said at least a portion of said audio signal upon a user input, and wherein said user input is not constrained to occur simultaneously with an image capture.

8. (Currently Amended) The device of claim 1, wherein said processor stores said at least a portion of said audio signal upon a user input, and wherein said user input specifies a portion of said audio signal to be stored, wherein said portion of the audio signal is less than the audio signal stored in the buffer.

9. (Currently Amended) An audio capture method in an image capturing device having a shutter button, wherein the image capturing device can be placed in an audio capture mode, comprising the steps of:

activating the audio capture mode in response to a user of the image capturing device depressing the shutter button;

continuously storing ~~a predetermined time amount~~ of an audio signal in an audio buffer in said image capturing device if and only if the audio capture mode is activated; and

selectively storing at least a portion of said audio signal in a memory storage area upon receipt of a store command input from ~~[[a]]~~ the user.

10. (Currently Amended) The method of claim 9, ~~wherein the storing step is performed when said image capturing device is in an audio capture mode wherein the shutter button is a two-stage shutter button and the audio capture mode is activated in response to the user of the image capturing device partially depressing the shutter button.~~

11. (Original) The method of claim 9, further comprising a preliminary step of converting sound into said audio signal.

12. (Original) The method of claim 9, wherein said store command input comprises a store command input unassociated with any image capture function.

13. (Currently Amended) The method of claim 9, wherein said store command input is automatically issued ~~in conjunction with an image capture function~~ in response to the user fully depressing the shutter button.

14. (Original) The method of claim 9, wherein said store command input is not constrained to occur simultaneously with an image capture.

15. (Currently Amended) An audio capture method in an image capturing device having a shutter button, wherein the image capturing device can be placed in an audio capture mode, comprising the steps of:

activating the audio capture mode in response to a user of the image capturing device exposing the lens by moving a lens cover that was covering the lens;

continuously storing ~~a predetermined time amount~~ of an audio signal in an audio buffer in said image capturing device only when said image capturing device is in ~~[[an]]~~ the audio capture mode; and

storing at least a portion of said audio signal upon a store command input from ~~[[a]]~~ the user.

16. (Original) The method of claim 15, further comprising a preliminary step of converting sound into said audio signal.

17. (Original) The method of claim 15, wherein said store command input comprises a store command input unassociated with any image capture function.

18. (Original) The method of claim 15, wherein said store command input is issued automatically in conjunction with an image capture function.

19. (Original) The method of claim 15, wherein said store command input is not constrained to occur simultaneously with an image capture.

20. (New) The device of claim 1, wherein in response to the user fully depressing the shutter button, said processor immediately causes at least a portion of said audio signal from said audio buffer to be stored into said at least one audio storage cell.

21. (New) The device of claim 1, wherein in response to the user fully depressing the shutter button, said processor waits for a predetermined amount of time before causing at

least a portion of said audio signal from said audio buffer to be stored into said at least one audio storage cell.

22. (New) The method of claim 9, wherein the step of selectively storing at least a portion of said audio signal in the memory storage area upon receipt of the store command input from the user occurs immediately in response to receipt of the store command.

23. (New) The method of claim 9, wherein the step of selectively storing at least a portion of said audio signal in the memory storage area upon receipt of the store command input from the user occurs a predetermined amount of time after receipt of the store command.

24. (New) The method of claim 15, wherein the step of storing at least a portion of said audio signal upon the store command input from the user occurs immediately in response to receipt of the store command.

25. (New) The method of claim 15, wherein the step of storing at least a portion of said audio signal upon the store command input from the user occurs a predetermined amount of time after receipt of the store command.